

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Prisons Department- NHRC – Case No.194/1/7/08-09-JCD – Death of Under Trail Prisoner Sanjay Laxman Nimbadkar on 19-06-2008 at Sub-Jail- Khammam –NHRC recommendation to pay a sum of Rs.1,00,000/- as monetary relief to the next kin of the deceased – Sanction accorded – Orders – Issued.

HOME(PRISONS-HRC) DEPARTMENT

G.O.RT.No. 1498

Dated: 08-09- 2011.

Read the following:-

1. From the Joint Registrar(Law),National Human Rights Commission New Delhi Show Cause Notice dated 25-05-2011 in case No.194/1/7/08-09-JCD.
- 2.From the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad Lr.No.SB3/673/ 2008 , dated 13-07-2011.
- 3.Government letter No. 16620/Pri.HRC/2011, dated 13-07-11.
- 4.From the Asst. Registrar(Law),National Human Rights Commission, New Delhi Letter dated 15-08-2011 in case No194/1/7/08-09-JCD.

ORDER:

In the reference first read above, the National Human Rights Commission has issued Show Cause Notice u/s 18(c) of Protection of Human Rights Act 1993 to the Chief Secretary , Government of Andhra Pradesh calling upon him to show cause as to why monetary relief should not be recommended to be paid to the next kin of the deceased, Sanjay Laxman Nimbadkar.

2. In the reference second read above, the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad has furnished reply to the Show Cause Notice. Accordingly the Government vide letter third read above has furnished the above report to the NHRC for placing the same before the Commission.

3. In the reference third read above, the National Human Rights Commission has stated that the Under Trial Prisoner, Sanjay Laxman Nimbadkar was expired due to delayed diagnosis and failure to provide the proper treatment in time and therefore, the State cannot evade its responsibility. In view of the above facts and circumstances, the Commission recommends the State of Andhra Pradesh to pay a sum of Rs.1,00,000/- (Rupees one lakh only) as monetary relief to the next kin of the deceased prisoner, Sanjay Laxman Nimbadkar and forward the compliance report along with proof of payment and a report on action taken against the erring jail officials within six weeks, i.e., by 22-09-2011.

4. Government after careful examination, hereby accord sanction for an amount of Rs 1,00,000/- (Rupees one lakh only) towards payment of compensation to the legal heir of the deceased UTP Sanjay Laxman Nimbadkar, as directed by the National Human Rights Commission, New Delhi.

5. The amount sanctioned in Para (4) above, shall be debited to the Head of Account “2056 Jails – 101. Jails – SH (04) Jails – 500 other charges -501 Compensation (Non Plan).

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6. The Director General and Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad, is authorized to draw the amount sanctioned in para 4 above and to place at the disposal of Collector & District Magistrate, Khammam for making payment to the legal heirs of the deceased UT Prisoner, Sanjay Laxman Nimbadkar and submit compliance report along with the proof of payment and a report on action taken against the erring jail officials by 22-09-2011.

7. The Director General and Inspector General of Prisons and Correctional Services Andhra Pradesh, Hyderabad, shall take necessary action accordingly.

8. This order issues with the concurrence of Finance (Exp.Home) Department, vide their U.O.No.8422/359/A2/Expr.Home/11, dated:07-09-2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.P.ACHARYA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General and Inspector General of Prisons and
Correctional Services, A.P., Hyderabad.
The Joint Registrar (Law), National Human Rights Commission,
Faridkot House, Copernicus Marg, New Delhi.

Copy to:

The Director of Treasuries & Accounts, A.P., Hyderabad.
The Accountant General, (A&E), A.P., Hyderabad.
The Pay & Accounts Officer, Hyderabad.
The District Treasury Officer, Khammam District
The Collector & District Magistrate, Khammam District.

Copy to:

The Principal Secretary to Government(Political),
General Administration Department.
The Finance (Exp.H&L) Department.
The Finance (BG) Department.
SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER